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FISCAL IMPACT STATEMENT

LS 7146

BILL NUMBER: HB 1225

NOTE PREPARED: Jan 10, 2004

BILL AMENDED:

SUBJECT: Automated Traffic Law Enforcement Systems.

FIRST AUTHOR: Rep. Porter

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill

- (1) allows a local authority to adopt an ordinance under which the owner of a motor vehicle commits a violation when an automated traffic law enforcement system produces a recorded still photographic image of the vehicle proceeding through an intersection contrary to a red signal;
- (2) establishes defenses that may be raised in enforcement proceedings;
- (3) provides that the ordinance: (A) may not impose a civil penalty greater than \$100; and (B) may be enforced through a local ordinance violation bureau or an infraction and ordinance violation enforcement proceeding;
- (4) specifies that the ordinance must require local police officers to review the recorded images;
- (5) provides that the ordinance may not provide for the payment of compensation to a vendor of the automated system on the basis of: (A) the number of recorded images; (B) the number of citations issued; or (C) the amount of revenue generated;
- (6) allows the ordinance to provide for a warning notice instead of imposing a civil penalty;
- (7) makes conforming changes; and
- (8) repeals a superseded definition.

Effective Date: July 1, 2004.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: (1) The specific fiscal impact of this provision will depend upon the type of program implemented and the extent to which the local unit is required to purchase and maintain the equipment, along with the anticipated revenue stream.

“Automated traffic law enforcement system” means a device that has one or more motor vehicle sensors working in conjunction with a traffic control signal that exhibits a steady red light or an illuminated flashing red light and that is capable of producing a photographically recorded image of a motor vehicle’s rear license plates as the vehicle proceeds through an intersection.

Background Information: The City of New York has a program which utilizes cameras to record violations of motorists proceeding through the intersection, contrary to the requirement to stop at a red light. This type of program is commonly referred to as a “Red Light Running program.” In this program, the City of New York has contracted with Electronic Data Systems (EDS) who supplies and maintains the system. For this, EDS receives a portion of each fine assessed from the Red Light Running program. The City of New York receives the rest. Potential costs include the red light camera and sensors. The Federal Highway Administration (FHWA) estimates that a red light camera costs approximately \$50,000. Installation and sensors cost about \$5,000.

In addition, the bill requires local authorities to install advance warning signs along the roadway proceeding to the intersection at which an automated camera is installed. The estimated fiscal impact for the signs will depend upon the number of signs needed. The cost for one sign is \$84.96.

(2) The bill also establishes certain defenses that may be raised in a proceeding to enforce an ordinance concerning automated traffic law enforcement systems. Any additional fiscal impact which may occur because of the newly established system can be addressed with current resources for both law enforcement and prosecution of cases.

(4) The specific fiscal impact will depend upon the number of reviews which occur and the time involved

(5) The bill also places prohibitions on the local units regarding how vendor contracts may be structured and could impact expenditures associated with the implementation of the new system.

Parts 7 and 8 will have no fiscal impact.

Explanation of Local Revenues: (3) Local revenue will depend upon the design and implementation of the specific programs and ordinances and will vary by locality.

(6) The bill provides that an ordinance may authorize the local authority to issue a warning notice instead of imposing a civil penalty. This may affect the amount of revenue generated from the new system

State Agencies Affected:

Local Agencies Affected: Those units which adopt the ordinance.

Information Sources: John R. Di Lavore, Director, Red Light Camera Study Program, City of New York, 718-786-2233; Federal Highway Administration Web page.

Fiscal Analyst: James Sperlik, 317-232-9866.